

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ANIBAL MELENDEZ,)
)
Petitioner,)
)
v.) Civ. No. 04-1537-SLR
)
THOMAS CARROLL,)
Warden,)
)
Respondent.)

ORDER

For the reasons set forth in the memorandum opinion issued this date, IT IS HEREBY ORDERED that:

1. Petitioner Anibal Melendez's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED. (D.I. 2)
2. The court declines to issue a certificate of appealability.

Dated: January 5 , 2006

Stan L. Robinson
UNITED STATES DISTRICT JUDGE